

From: CARLOS ONEILL  
To: R2NYC06.R2DEPDIV.GIARDINA-PAUL  
Date: 7/23/98 2:00pm  
Subject: Abandoned Radioactive\Hazardous Waste

Good Afternoon Paul;

This morning Ramon Torres one of my staff members received a call from a local attorney's office, asking about EPA regulations concerning the abandoned of radioactive waste or plutonium waste. The information she provided was limited, but mentioned a client that owns a property operated by others that had abandoned plutonium waste at a particular facility in Puerto Rico. She was preparing herself to sue the operators, but refused to disclosed the details of the where about of such waste. She left her name and phone number.

Due to the seriousness and potential for harm this may pose to health and the environment; I had immediately asked one of our attorneys in ORC to call the aforementioned person in searching for more information.

I also placed a call to your office and left a message in your phone. I have also called Fomento, a state agency to ask if they can identify in their roster any manufacturing facility using and or generating radioactive material \ waste.

I have asked Eduardo Gonzales ( RCRA Staff) to check with our roster and data bank of generators and/or treatment and storage RCRA facilities in Puerto Rico, and to determine if there are facilities with radioactive waste, and if so, where are they located.

I will contact you once further information is known to us.

For further contact or questions, please do not hesitate to contact me at (787) 729-6951 x-230 or 223.

Thanks.....CARLOS

CC: SODERBERG-CARL, FONT-JOSE, GONZALEZ-EDUARDO, GONZA...

ATTACHMENT A

454546



From: EDUARDOJ GONZALEZ  
To: ONEILL-CARLOS  
Date: 7/23/98 3:48pm  
Subject: Abandoned Radioactive/Hazardous Waste -Rcply

Ramon Torres and I held a telephone conference this afternoon with Nuñen Marrero, she works for the law firm of Latimer, Biaggi, Raohid & Godreau. She doesn't want to disclose who their client is nor where is the property located nor who's the operator. She explained that they are drafting a letter from their client to the operator requiring the operator to remove or dispose of the drums containing plutonium/radioactive material. In the letter they are looking to include sections of law which impose liability for such action, and thus was the original intent of their call to EPA. However, we explained to them that, under RCRA or CERCLA, EPA will pursue an owner or an operator indistinctly, and that these parties should notify of any violation or release, because the withholding of information was just as serious a violation. She said that she was going to speak to her supervisor immediately (I assume one of the partners in the firm) and have him call EPA. We explained that with the current information EPA has to start an investigation. I'll let you know as soon as I hear from them, or if I don't.

CC: TORRES-RAMON, PRASCHAK-ANDREW, R2NYC03.R2ORCDIV.CA...

ATTACHMENT B

From: EDUARDOJ GONZALEZ  
To: plutonium  
Date: 7/27/98 10:46am  
Subject: radioactive material - latest news

Hello. This is the latest. On Friday, July 24, 1998, I spoke with Atty. David Godreau, partner in the law firm of Latimer & Biaggi. This is what he told me:

1. that they represent a bank (Firstbank), who holds a mortgage over the property;
2. that the site is located in Caguas, and is operated by Crossland-Boyer Sales & Services Inc. ("Crossland");
3. that Crossland is owned by Thomas Bruce Crossland, and that the operation is in bankruptcy;
4. that the attorney for Crossland is Andres Garcia-Arregui, of the law firm Garcia-Arregui & Fullana, who's number is 766-2530;
5. that Crossland is involved in the X-ray equipment industry, and that there is a waste or byproduct, which is not plutonium, but some other radioactive material, he couldn't specify any quantities;
6. that the situation is under the jurisdiction of NRC, who may have already ordered a cleanup, and that such cost was \$13,000;
7. that the person at NRC-Atlanta that they're are dealing with is Hector Bermudez (ph.# 404-562-4734).

I've already left a voice mail for Hector Bermudez, but have got no response yet.

I spoke with Virginia Capon (NY/Caribbean Superfund Section), she said that we should get as much information from NRC before calling Crossland, but that we are certainly much closer to performing a site inspection. She said that maybe this whole situation is under the control of NRC and we should find this out.

I won't be in the office this afternoon, and maybe not tomorrow, but feel free to contact NRC at the above number in order to ascertain this info.

ATTACHMNET C

Jul 27 '98 10:43

D.O.7	Check condition of remote Fax.	787-729-7747
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OPTIONAL FORM 10 (7-93)

## FAX TRANSMITTAL

# of pages = 7

From: [REDACTED]  
 To: [REDACTED]  
 Date: 7/24/98 3:47pm  
 Subject: Plutonium in PR: False Alarm

To: <del>Mark Lesser, N2C</del>	From: Mark Lesser, N2C
Dep/Agency: EPA Puerto Rico	Phone: 787-562-4731
Fax #: 787-729-7747	Fax: [REDACTED]

[REDACTED] on the lawyer asking questions on how a bankrupt company can dispose of plutonium has been clarified:

The lawyer represents the bank that holds the mortgage on the buildings of Crossland Boiler/NDT Services. She erroneously referred to the licensed materials as plutonium. I told her boss that until a few hours ago we did not know that Crossland had actually filed for bankruptcy and that now that we know, we will be increasing our efforts to ensure proper disposal. I made it clear that the bank could not possess the materials without a license. He replied the bank did not want the materials and was forcing their removal. I told him that I knew they were coordinating their removal with SPEC. He also added that he will use means available to him to expedite their proper disposal and encouraged us to do the same.

ATTACHMENT D

2. Information America Bankruptcy Records - Detail Record.  
Information current 04-15-1998 through 07-09-1998.  
Last updated 06-28-1998. (Updated on a WEEKLY basis.)  
Updated by DISTRICT OF PUERTO RICO.

[prev detail](#) | [next detail](#) | [summary](#)

☐ - add THIS detail to report

Case Number: 98-7100

Status: OPEN

Status Date: 05-22-1998

Chapter: 11

Type of Filing: VOLUNTARY

Filing Date: 05-22-1998

Filing Location: DISTRICT OF PUERTO RICO

CH 105D CRARDON ST

SAN JUAN, PR 00918

Secured Liabilities: \$2,300,000

Unsecured Liabilities: \$217,000

Other Liabilities: \$215,049

Total Liabilities: \$2,722,049

Debtor (s): CROSSLAND BOILER SALES & SERVICE INC

RD 175 KM 0.2

CAQUAS, PR 00726

D&B Bus. Number: 195018627

Attorney: ANDRES J GARCIA AREGUI

Law Firm: 787-766-2530

2. Information America Bankruptcy Records - Detail Record.  
Information current 04-15-1998 through 07-09-1998.  
Last updated 06-28-1998. (Updated on a WEEKLY basis.)  
Updated by DISTRICT OF PUERTO RICO.

[prev detail](#) | [next detail](#) | [summary](#)

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ATTACHMENT D

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NRC FORM 374  
(7-84)

U.S. NUCLEAR REGULATORY COMMISSION

PAGE 1 OF 3 PAGES

## MATERIALS LICENSE

Amendment No. 12

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

<b>Licensee</b> 1. NDT Services, Inc. c/o Crossland Boiler Sales & Service, Inc. 2. P.O. Box 4952, Suite 370 Caguas, Puerto Rico 00726-4952		Is accordance with letter dated December 11, 1995 3. License Number 52-19438-01 Is amended in its entirety to read as follows: 4. Expiration Date January 31, 1997 5. Docket or Reference Number 030-17711	
6. Byproduct, Source, and/or Special Nuclear Material A. Iridium 192 B. Cobalt 60	7. Chemical and/or Physical Form A. Sealed radiography source contained in a source assembly registered pursuant to 10 CFR 32.210 or an equivalent Agreement State Regulation (includes SPEC Model T-1P or T-3P) (See also Condition No. 13) B. Sealed radiography source contained in a source assembly registered pursuant to 10 CFR 32.210 or an equivalent Agreement State Regulation (includes Amersham A-424-3) (See also Condition 13)	8. Maximum Amount that Licensee May Possess at Any One Time Under This License A. Not to exceed 100 curies per source (See Conditions 14 and 20) B. Not to exceed 20 curies per source (See Conditions 14 and 20)	
9. Authorized Use: A. For use in a compatible gamma radiography exposure device registered pursuant to 10 CFR 32.210 (or an equivalent Agreement State Regulation) for performing industrial radiography and in a compatible source changer (shipping container) registered pursuant to 10 CFR 32.210 (or an equivalent Agreement State regulation) for source storage and exchange.			

ATTACHMENT D

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 C PDR

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